

Federal Defenders  
OF NEW YORK, INC.

Southern District  
81 Main Street, Suite 300  
White Plains, N.Y. 10601-4150  
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David E. Patton  
*Executive Director  
and Attorney-in-Chief*

*Southern District of New York  
Jennifer L. Brown  
Attorney-in-Charge*

September 23, 2022

Honorable Andrew Krause  
United States Magistrate Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: Miguel Abreu  
22-MJ-5554

Dear Honorable Krause,

I am writing to ask that Your Honor modify the terms of Mr. Abreu's curfew to allow him (i) to work and (ii) to drive his children to daycare. As background, Mr. Abreu was presented on July 7, 2022. At his presentment, Mr. Abreu was charged with being a felon in possession of a firearm pursuant to 18 U.S.C. 922(g). Your Honor released Mr. Abreu pursuant to an unsecured \$100,000 bond that has been signed by four financially responsible individuals. Under the terms of Mr. Abreu's release, Mr. Abreu is subject to a curfew that requires that he be in his home between 9:00pm and 7:30am. This schedule is problematic for two reasons. First, Mr. Abreu has two children<sup>1</sup> who need to get to their respective school and daycare but the current curfew does not allow Mr. Abreu to leave his home early enough to help with drop-off. Second, Mr. Abreu's work schedule requires him to work late. As detailed in the attached letter, Mr. Abreu's employment requires him to work until 11:00pm, which is not compatible with a 9:00pm curfew. Under these circumstances, I ask that Your Honor please modify the terms of Mr. Abreu's curfew to allow him to leave his home at 6:30am and return at 11:30pm.<sup>2</sup>

I have communicated with Supervisory US Pretrial Service Officer Cynthia Labrovic Diaco and she indicated that she has no objection to this request. I have also communicated with AUSA Kingdar Prussien and he indicated that he "concur[s] with" Pretrial's position.

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<sup>1</sup> One child is Mr. Abreu's biological child, the other is his step-child.

<sup>2</sup> While the bond indicates that Pretrial may modify the terms of Mr. Abreu's curfew, the parties recollection from Mr. Abreu's presentment was that Your Honor had specified the hours and that the Court did not indicate that Pretrial could amend those times.

Thank you for your consideration.

Respectfully,

//s

Benjamin Gold  
Assistant Federal Defender

cc: Assistant U.S. Attorney Kingdar Prussien  
Pretrial Officer Chijoke Ezenyilimba  
Supervisory US Pretrial Service Officer Cynthia Labrovic Diaco

APPLICATION GRANTED. Mr. Abreu's curfew is modified such that he may leave his home at 6:30 a.m. and return by 11:30 p.m., for the reasons set forth herein. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 12.

Dated: September 23, 2022

**SO ORDERED.**



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ANDREW E. KRAUSE  
United States Magistrate Judge





August 2, 2022

To Whom It May Concern

RE: Employment Verification  
Contractor Name: Miguel Abreu  
Contractor ID: xxxx-0075

Dear Sir/Madam:

This is to certify that DDM Medical Delivery Service LLC hired Miguel Abreu as an Independent Contractor.

Position Held: Medical Courier Driver

Weekly Schedule: Monday to Saturday 8:00 AM to 11:00PM (Full-Time)

Salary: Bi-Weekly

Based on the abovementioned details we request you consider this verification letter in favor of approving Mr. Abreu's curfew extension.

For further confirmation pertaining to his employment please contact the undersigned directly at 516-606-5810 or by email [yedmunds@ddmmmedicaldelivery.com](mailto:yedmunds@ddmmmedicaldelivery.com).

Yanik Edmunds  
VP of Operations

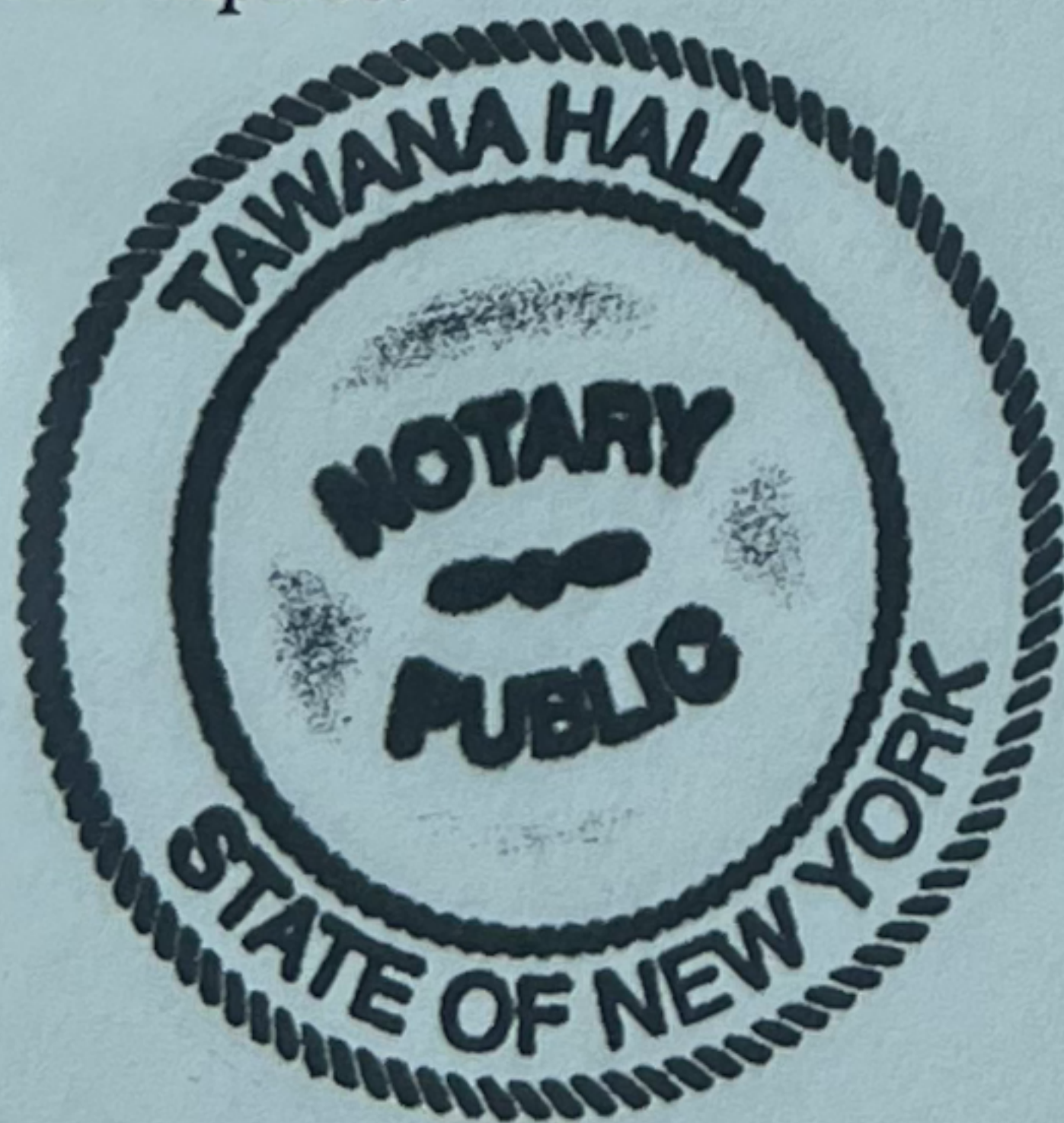
**ACKNOWLEDGMENT OF NOTARY PUBLIC**

State of New York  
County of Nassau

On this 4<sup>th</sup> day of August 2022, before me appeared Yanik Edmunds, personally known to me or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged to me that he executed the same and that by his signature on this instrument the person executed this instrument.

Signature of Notary  
My commission expires:

TAWANA HALL  
Notary Public, State of New York  
No. 01HA6235550  
Qualified in Suffolk County  
Commission Expires February 14, 2023



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